

IN THE CLAIMS

1. (previously presented) A method for managing fees of contents in which the fees arise based on a predetermined charging rule upon distributing the contents, said method comprising the steps of:

equipping information gathering means on a network with which a user terminal is allowed to connect, said user terminal carrying out information processing by utilizing said contents;

embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously monitor, and store, a contents utilizing history at the user terminal, and transmit the stored contents utilizing history along with identification information to said information gathering means at a predetermined timing while said user terminal is connected with said network;

distributing said contents with said digital information being embedded through a predetermined distribution mechanism;

holding, by predetermined identification information holding means, identification information for identifying said distributed contents and said distribution mechanism;

counting a distribution condition of contents per distribution mechanism based on said contents distributing history gathered through said information gathering means and said identification information held by said identification information holding means; and

determining a charging amount per distribution mechanism based on said counted distribution condition and a charging rule for said contents,

wherein the contents utilizing history is stored permanently as long as the contents is utilized.

2. (previously presented) A method for managing fees of contents in which the fees arise based on a predetermined charging rule upon utilizing the contents, said method comprising the steps of:

- issuing a recording medium to a user operating a user terminal which carries out information processing by utilizing said contents, said recording medium having a data recording area in which user identification data is recorded and a nonvolatile memory area;
- equipping information gathering means on a network with which said user terminal with said recording medium being loaded is allowed to connect;
- embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously monitor, and store to said memory area, a contents utilizing history indicating utilizing condition of the contents at the user terminal, and read said stored contents utilizing history so as to transmit said contents utilizing history to said information gathering means along with said user identification data at a predetermined timing while said user terminal is connected with said network;
- distributing said contents with said digital information being embedded through a predetermined distribution mechanism;
- counting a utilization condition of the contents per user based on the contents utilizing history and the user identification data gathered through said information gathering means;
- and
- determining a charging amount per user based on said counted utilization condition and a charging rule for said contents,
- wherein the contents utilizing history is stored permanently as long as the contents is utilized.

3. (original) A method for managing fees of contents according to claim 2, further comprising the steps of encrypting the contents to be distributed and issuing key information for decrypting said encrypted contents, said key information being recorded in said recording medium.

4. (previously presented) A method for managing fees of contents in which the fees arise based on a predetermined charging rule upon distributing and utilizing the contents, said method comprising the steps of:

issuing a recording medium to a user operating a user terminal which carries out information processing by utilizing the distributed contents, said recording medium having a data recording area in which user identification data is recorded and a nonvolatile memory area;

equipping information gathering means on a network with which said user terminal with said recording medium being loaded is allowed to connect;

embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously store monitoring information indicating a distribution history of the contents and a utilizing condition of the contents monitored at the user terminal into said memory area and read said stored monitoring information so as to transmit said monitoring information along with said user identification data to said information gathering means at a predetermined timing while said user terminal is connected with said network;

distributing said contents with said digital information being embedded through a predetermined distribution mechanism;

holding, by predetermined identification information holding means, identification information for identifying said distributed contents and said distribution mechanism;

counting a distribution condition of the contents per distribution mechanism and a utilizing condition of the contents per user based on said monitoring information and said user identification data gathered through said information gathering means and said identification information held by said identification information holding means; and

determining a charging amount per distribution mechanism based on said counted distribution condition and a charging rule for said contents, and determining a charging amount per user based on said counted utilization condition and a charging rule for said contents,

wherein the utilizing condition of the contents is stored permanently as long as the contents is utilized.

5. (original) A method for managing fees of contents according to claim 4, further comprising the step of encrypting the contents to be distributed and issuing key information for decrypting said encrypted contents, said key information being recorded in said recording medium.

6. (previously presented) A system for managing fees of contents in which the fees arise based on a predetermined charging rule upon distributing the contents, said system comprising:

information gathering means provided on a network with which a user terminal is allowed to connect, said user terminal carrying out information processing by utilizing said contents;

distributing means for embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously monitor, and store, a contents utilizing history at the user terminal, and transmit the stored contents

utilizing history and a contents distributing history to said information gathering means at a predetermined timing while said user terminal is connected with said network, and for distributing said contents with said digital information being embedded through a predetermined distribution mechanism;

identification information holding means for holding identification information for identifying said distributed contents and said distribution mechanism;

counting means for counting a distribution condition of contents per distribution mechanism based on said contents distributing history gathered through said information gathering means and said identification information held by said identification information holding means; and

fee calculating means for determining a charging amount per distribution mechanism based on said counted distribution condition and a charging rule for said contents,

wherein the contents utilizing history is stored permanently as long as the contents is utilized.

7. (previously presented) A system for managing fees of contents in which the fees arise based on a predetermined charging rule upon utilizing the contents, said system comprising:

issuing means for issuing a recording medium to a user operating a user terminal which carries out information processing by utilizing said contents, said recording medium having a data recording area in which user identification data is recorded and a nonvolatile memory area;

information gathering means provided on a network with which said user terminal with said recording medium being loaded is allowed to connect;

distributing means for embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously monitor, and store to said memory area, a contents utilizing history indicating utilizing condition of the contents at the user terminal, and read said stored contents utilizing history so as to transmit said contents utilizing history to said information gathering means along with said user identification data at a predetermined timing while said user terminal is connected with said network, and for distributing said contents with said digital information being embedded through a predetermined distribution mechanism;

identification information holding means for holding identification information for identifying said distributed contents;

counting means for counting a utilization condition of the contents per user based on the contents utilizing history and the user identification data gathered through said information gathering means and the identification information held by said identification information holding means; and

fee calculating means for determining a charging amount per user based on said counted utilization condition and a charging rule for said contents,

wherein the contents utilizing history is stored permanently as long as the contents is utilized.

8. (original) A system for managing fees of contents according to claim 7, wherein said recording medium is a card equipped with an IC chip, said card being individualized per user, and information indispensable for utilizing said contents is recorded in said card.

9. **(currently amended)** ~~A computer program embodied in a computer-readable medium for causing~~ A computer program embodied in a computer-readable medium for causing encoded with a computer program, that when executed causes a computer

system connectable to a network with which a user terminal is allowed to connect, to operate as a fee managing system for managing fees of contents in which the fees arise based on a predetermined charging rule upon distributing the contents, said user terminal executing information processing by utilizing the contents, said computer program causing said fee managing system to comprise:

information gathering means for gathering information from said network;

distributing means for embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously monitor, and store, a contents utilizing history at the user terminal, and transmit the stored contents utilizing history and a contents distributing history to said information gathering means at a predetermined timing while said user terminal is connected with said network, and for distributing said contents with said digital information being embedded through a predetermined distribution mechanism;

identification information holding means for holding identification information for identifying said distributed contents and said distribution mechanism;

counting means for counting a distribution condition of contents per distribution mechanism based on said contents distributing history gathered through said information gathering means and said identification information held by said identification information holding means; and

fee calculating means for determining a charging amount per distribution mechanism based on said counted distribution condition and a charging rule for said contents,

wherein the contents utilizing history is stored permanently as long as the contents is utilized.

10. (canceled)

11. **(currently amended)** ~~A computer program embodied in a computer-readable medium for causing~~ encoded with a computer program, that when executed causes a computer system connectable to a network with which a user terminal is allowed to connect, to operate as a fee managing system for managing fees of contents, said user terminal loaded with a recording medium having a data recording area for recording user identification data for identifying a user operating said user terminal and a nonvolatile memory area so as to execute information processing by utilizing the contents, said computer program causing said fee managing system to comprise:

information gathering means for gathering information from said network;

distributing means for embedding digital information to said contents, said digital information itself providing functionality to said user terminal to autonomously monitor, and store to said memory area, a contents utilizing history indicating utilizing condition of the contents at the user terminal, and read said stored contents utilizing history so as to transmit said contents utilizing history to said information gathering means along with said user identification data at a predetermined timing while said user terminal is connected with said network, and for distributing said contents with said digital information being embedded through a predetermined distribution mechanism;

identification information holding means for holding identification information for identifying said distributed contents;

counting means for counting a utilization condition of the contents per user based on the contents utilizing history and the user identification data gathered through said information gathering means and the identification information held by said identification information holding means; and

fee calculating means for determining a charging amount per user based on said counted utilization condition and a charging rule for said contents, wherein the contents utilizing history is stored permanently as long as the contents is utilized.

12. (canceled)